

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE: PET FOOD PRODUCTS  
LIABILITY LITIGATION

Civil Action No. 07-2867 (NLH)

MDL DOCKET NO. 1850

THIS DOCUMENT RELATES TO:

ALL CASES

**DECLARATION OF  
KENNETH A. WEXLER REGARDING  
MAJORITY PLAINTIFFS' MOTION  
FOR APPOINTMENT OF INTERIM  
CO-LEAD AND LIAISON COUNSEL  
PURSUANT TO FED. R. CIV. P. 23(G)**

Date: September 26, 2007

Time: 11:00 a.m.

Courtroom: 3A

The Honorable Noel L. Hillman

I, Kenneth A. Wexler, declare as follows:

1. I am an attorney duly licensed to practice law in all courts of the State of Illinois. I am also admitted to practice in the U.S. District Courts for the Northern District of Illinois, the Southern District of Illinois, as well as the U.S. Court of Appeals for the Second, Third, Sixth and Seventh Circuits. I have been admitted to practice *pro hac vice* in state and federal courts throughout the country, and was admitted *pro have vice* by this Court on May 23, 2007. I make this declaration in support of the Majority Plaintiffs' Motion for Appointment of Co-Lead and Liaison Counsel Pursuant to Federal Rule of Civil Procedure 23(g). I have personal knowledge of the matters set forth herein, and if called upon to testify, would be competent to do so.

2. I am the founding partner of the law firm of Wexler Toriseva Wallace LLP (“WTW”). WTW has several decades of complex litigation experience and is widely recognized as a firm with significant skill and success in class action matters. Our firm is particularly adept at managing multidistrict class action litigation and has approached such litigation with a level of efficiency, collaboration and appropriate aggressiveness that has proven to be highly successful for our clients. I have attached a copy of WTW’s firm resume as Exhibit A.

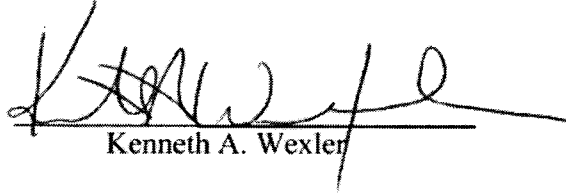
3. WTW is seeking appointment as Interim Co-Lead Counsel, along with the firms Berger & Montague, P.C., Coughlin Stoia Geller Rudman & Robbins LLP, and Hagens Berman Sobol Shapiro LLP.

3. WTW is counsel for Shirley Sexton in *Sexton v. Menu Foods Income Fund, et al.*, C.D. Cal. No. 07-CV-0198 GHK (AJWx), Larry Wilson in *Wilson v. Menu Foods, et al.*, D.N.J. No. 07-CV-1456 NLH, Stephen Donnelly and Jennifer Hirni in *Donnelly v. Menu Foods, et al.*, S.D. Fla. No. 07-20955, and Heather Amro in *Amro v. Menu Foods et al.*, N.D. Ill. No. 07-CV-2162. Each of these cases is currently pending in this multidistrict litigation. In addition, Ms. Sexton was the Movant under 28 U.S.C. § 1407 in the proceedings before the Judicial Panel on Multidistrict Litigation.

4. My firm has been intimately and actively involved in this litigation since some of the first cases were filed concerning the Pet Food Recall. WTW has played an important role in organizing the majority of over 100 plaintiffs’ firms to work efficiently and to pursue significant protections for putative class members. WTW also maintains active, ongoing dealings with defense counsel in this litigation.

5. WTW is fully prepared and able to dedicate whatever resources are necessary to bring this litigation to a successful resolution on behalf of the class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on September 4, 2007, in Chicago, Illinois.



Kenneth A. Wexler